

S. Thompson

By 

H.B. No. 99

A BILL TO BE ENTITLED

AN ACT

relating to the provision of child-care services to state employees; establishing a task force and pilot program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "Commission" means the State Purchasing and General Services Commission.

(2) "State agency" means:

(A) any department, commission, board, office, or other agency in the executive branch of state government created by the constitution or a statute of this state;

(B) the Supreme Court of Texas, the Texas Court of Criminal Appeals, a court of appeals, or the Texas Judicial Council; or

(C) a university system or an institution of higher education as defined by Section 61.003, Education Code, other than a public junior college.

(3) "Child-care services" means services to state employees' children who are in need of day care.

SECTION 2. TASK FORCE. (a) A task force to facilitate child-care services to state employees is established. The task force consists of:

(1) the executive director of the Texas Health and Human Services Coordinating Council or the executive director's

1     designee;

2                   (2) one representative from each of the following  
3     state agencies, appointed by the executive director or commissioner  
4     of each respective agency:

5                   (A) the Texas Department of Health;

6                   (B) the Texas Department of Human Services;

7                   (C) the Texas Department of Mental Health and  
8     Mental Retardation;

9                   (D) the State Purchasing and General Services  
10    Commission;

11                   (E) the Central Education Agency;

12                   (3) a representative of the Texas Association for the  
13    Education of Young Children, appointed by the association  
14    president;

15                   (4) a representative from the Texas Licensed Child  
16    Care Association, appointed by the association; and

17                   (5) a state employee who uses child-care services,  
18    appointed by the governor.

19                   (b) The governor shall name a member of the task force to  
20    serve as chairman.

21                   (c) The task force shall meet at the call of the chairman.

22                   (d) If needed in the discharge of its duties, the task force  
23    may request the assistance of personnel, equipment, and supplies  
24    from a state agency, and the state agency shall provide the  
25    assistance to the task force when requested to do so.

26                   (e) The task force may seek and accept other sources of  
27    funding and staff, including volunteers.

1           (f) The costs of administering this Act shall be paid by the  
2 agencies represented on the task force.

3           SECTION 3. PILOT PROGRAM. (a) The task force shall design  
4 and establish a pilot program in which space is leased by the state  
5 to private tenants trained in child development to provide  
6 child-care services to state employees. As part of the pilot  
7 program the task force may provide to state employees:

8                 (1) different types of child care, including child  
9 care:

- 10                         (A) on or adjacent to the work site;  
11                         (B) for moderately ill children;  
12                         (C) for handicapped children;  
13                         (D) during school vacations;  
14                         (E) after school hours;  
15                         (F) during flexible work hours, including any  
16 hour or day during the week, if available; and  
17                         (G) for infants to five years or  
18 prekindergarten;

- 19                         (2) referral services to child-care providers;  
20                         (3) nontaxable compensation through direct payment to  
21 child-care providers to the extent allowed under federal law;  
22                         (4) other child-care tax incentives to the extent  
23 allowed under federal law; and  
24                         (5) other child-care benefits.

25           (b) The task force shall adopt rules and a timetable to  
26 implement and complete the pilot program. The task force shall  
27 base the timetable on the commission's leasing schedule.

1           (c) Each employee participating in the pilot program shall  
2 pay the expenses of providing child-care services for that  
3 employee's children.

4           (d) The task force shall select not more than three  
5 municipalities with a population of 300,000 or more, according to  
6 the most recent federal census, in which to establish the pilot  
7 program. The commission shall recommend one or more buildings in  
8 each municipality in which to locate the pilot program. The  
9 buildings must be within one mile of buildings in which at least 50  
10 state employees who wish to participate in the program work.

11          (e) The task force may choose:

12               (1) buildings that are state-owned;

13               (2) buildings, or portions of buildings, that are  
14 leased by the state under a lease that permits sublease of the  
15 premises; or

16               (3) buildings that the state may lease and sublease.

17          (f) The task force shall study the feasibility of creating a  
18 child-care commission to provide child-care services to all state  
19 employees.

20          SECTION 4. LEASE. (a) For each building selected for the  
21 program, the agency that controls the building may:

22               (1) negotiate a lease;

23               (2) direct the state agency that occupies the building  
24 to negotiate a lease; or

25               (3) select a tenant through a competitive bidding  
26 process.

27          (b) An agency shall select a tenant on the bases of the

1 amount to be paid under the lease, the quality of the tenant's  
2 child-care services, and the cost of the services to the state  
3 employees.

4 (c) The task force shall recommend standards for leases  
5 under this section to the commission that are based on:

6 (1) child-care rules adopted by the Texas Department  
7 of Human Services;

8 (2) the requirements of the pilot program; and

9 (3) the needs of the task force.

10 (d) The commission shall adopt rules that specify provisions  
11 that must be included in a lease and provisions that may not be  
12 included in a lease. The rules shall be based on the  
13 recommendations of the task force.

14 (e) The agency that controls a building selected for the  
15 program shall execute the lease.

16 (f) Leases negotiated and tenants selected under this  
17 section are subject to the approval of the task force.

18 SECTION 5. LICENSE. A tenant must obtain a license under  
19 Chapter 42, Human Resources Code, to operate a child-care facility  
20 under this Act.

21 SECTION 6. REPORTS. (a) Not later than July 1, 1992, each  
22 state agency with access to child-care services through the pilot  
23 program shall submit to the task force a report evaluating the  
24 pilot program. The report must include information relating to:

25 (1) the number of employees participating;

26 (2) the number of children participating;

27 (3) the quality of the child-care services; and

1                   (4) how the pilot program affects:

2                           (A) employee absenteeism;

3                           (B) employee tardiness;

4                           (C) employee productivity; and

5                           (D) the length of maternity leave taken by  
6 employees.

7           (b) The task force shall make a complete report that  
8 includes findings, recommendations, and drafts of proposed  
9 legislation to the 73rd Legislature on the day it convenes in  
10 January 1993. The task force shall file five copies of the  
11 completed report with the Legislative Reference Library, five  
12 copies with the Texas Legislative Council, two copies with the  
13 chief clerk of the house, and two copies with the secretary of the  
14 senate. Following official distribution of the task force report,  
15 each remaining copy shall be deposited with the legislative  
16 reference librarian.

17           (c) The task force shall distribute an executive summary of  
18 the report to each member of the house and senate.

19           SECTION 7. APPROPRIATION. Funds received by the task force  
20 under Section 2(e) of this Act are appropriated to the task force  
21 for the period ending August 31, 1991, to use as necessary to carry  
22 out this Act.

23           SECTION 8. EFFECTIVE DATE AND DEADLINES. This Act takes  
24 effect September 1, 1989. Members of the task force must be  
25 appointed not later than September 10, 1989. The task force shall  
26 establish the pilot program required by this Act not later than  
27 January 1, 1990.

1           SECTION 9. EXPIRATION DATE. If the 73rd Legislature creates  
2 a child-care commission, this Act expires on the date on which a  
3 majority of the members of that commission have been appointed. If  
4 the 73rd Legislature does not create a child-care commission, this  
5 Act expires on September 1, 1993.

6           SECTION 10. EMERGENCY. The importance of this legislation  
7 and the crowded condition of the calendars in both houses create an  
8 emergency and an imperative public necessity that the  
9 constitutional rule requiring bills to be read on three several  
10 days in each house be suspended, and this rule is hereby suspended.

**H. B. No.**

By

**AN ACT**

relating to the provision of child-care services to state employees; establishing a task force and pilot program.

**JAN 17 1989**

- 1. Filed with the Chief Clerk.**

2. Read first time and Referred to Committee on

3. Reported \_\_\_\_ favorably (as amended) and sent to Printer at \_\_\_\_  
(as substituted)

4. Printed and distributed at \_\_\_\_\_

5. Sent to Committee on Calendars at \_\_\_\_\_

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

7. Motion to reconsider and table the vote by which H.B. \_\_\_\_\_ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of \_\_\_\_\_ years, \_\_\_\_\_ days, and \_\_\_\_\_ present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

- 10. Caption ordered amended to conform to body of bill.**

11. Motion to reconsider and table the vote by which H. B. \_\_\_\_\_ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

12. Ordered Engrossed at \_\_\_\_\_

- 13. Engrossed.**

14. Returned to Chief Clerk at \_\_\_\_\_

- 15. Sent to Senate.**

**Chief Clerk of the House**

- ## 16. Received from the House

17. Read, referred to Committee on \_\_\_\_\_

- 18. Reported favorably**

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

- 21. Regular order of business suspended by**

(a viva voce vote.)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)



\_\_\_\_\_ 22. To permit consideration, reading and passage, Senate and Constitutional Rules  
suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_ 23. Read second time \_\_\_\_\_ passed to third reading by:  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

\_\_\_\_\_ 24. Caption ordered amended to conform to body of bill.

\_\_\_\_\_ 25. Senate and Constitutional 3-Day Rules suspended by vote of \_\_\_\_\_ yeas,  
\_\_\_\_\_ nays to place bill on third reading and final passage.

\_\_\_\_\_ 26. Read third time and passed by  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

OTHER ACTION:

OTHER ACTION:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_ 27. Returned to the House.

\_\_\_\_\_ 28. Received from the Senate (with amendments,  
(as substituted.)

\_\_\_\_\_ 29. House (Concurred) (Refused to Concur) in Senate (Amendments)  
(Substitute) by a (Non-Record  
Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

\_\_\_\_\_ 30. Conference Committee Ordered.

\_\_\_\_\_ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 32. Ordered Enrolled at \_\_\_\_\_